REMARKS

Claims 1-34 were pending in the present application. Claims 1-9, 11, 17-27, and 29 were cancelled. Claims 10 and 17 were amended. Claims 35-38 were added. Accordingly, claims 10, 12-16, 28, and 30-38 are now pending in the present application.

Claims 1, 6-19, and 21-34 stand rejected under 35 U.S.C. §102(b) as being anticipated by Ben-Meir et al. (U.S. Patent Number 5,652,893) (hereinafter 'Ben-Meir'). Applicant respectfully traverses at least portions of this rejection.

Claims 2-5, and 20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Ben-Meir in view of Weinstein (U.S. Patent Number 5,939,799). Applicant respectfully traverses at least portions of this rejection.

Applicant discloses at page 10, lines 2-12

> "...in one embodiment, <u>the individual data signal paths 220(1-m) may be divided into a split path 225(1-m) and a split path 226 (1-m)</u>. When the system 10 operates in a "normal" mode, transactions such as passing data, responses, or address from one system board 30 to a second system board 30 may be conducted by transmitting messages along individual signal paths. For example, in one embodiment, <u>data may be transmitted along an individual data signal path 220(1-m). Before it is transmitted, however, the information for any given transaction may be separated into a first portion and a second portion, each packaged with a common header (not shown) in a respective message (not shown). The first portion may then be transmitted over a split path 225(1-m) and the second portion may be transmitted in parallel with the first portion over a split path 226(1-m) of the individual data signal path 220(1-m).</u>"

Accordingly, Applicant's claim 10 recites

> "An apparatus, comprising:
>
> a <u>first redundant source of power adapted to provide power to a first split path</u>; and

a second redundant source of power adapted to provide power to a second split path, wherein the first and second split paths are adapted to convey signals corresponding to a first portion and a second portion of a message, respectively in parallel from a source to a destination."

The Examiner asserts in his rejection of claim 10 "Ben-Meir discloses the use of a first and second power supply that are connected to backplane. Ben-Meir also teaches the lines being redundant (see Fig. 1, col. 2, lines 1-8, and col. 3. lines 15-38). This is interpreted as a first redundant source of power adapted to provide power to a first split path, and a second redundant source of power adapted to provide power to a second split path, wherein the first and second split paths are adapted to transmit signals."

The Examiner also asserts in the rejection of claim 11 "Ben-Meir teaches the lines being redundant, this interpreted as the first and second split paths are adapted to allow signals to be transmitted in parallel."

Applicant respectfully disagrees with the Examiner's characterizations and interpretations of Ben-Meir and Applicant's claims. Specifically, Ben-Meir discloses at col. 2, lines 1-8,

> "Often, lines to and from the stations are provided in a redundant manner (transmission, reception lines). Redundant power elements and redundant controller elements are also generally known. This is **an extra or additional power supply** which is held **in waiting as a back-up power supply**, in case of the failure of the primary power supply." (Emphasis added)

Ben-Meir also discloses at col. 3. lines 15-38

> "A further object of the invention is to provide an automated, real-time, intelligent power management system which includes redundant power sources for systems operation, to ensure a fault recovery process, and to ensure fault recovery as to critical systems such as networking equipment.
> I...
> According to the invention, a power management system for local

area network hubs comprises a network switching hub including <u>a connection backplane with a plurality of connection slots for electronic modules</u> that constitute the hub payload, and connection slots for intelligent modules such as a hub controller module. <u>The hub includes a power supply having one or more elements providing a maximum power available for the system.</u> Each power supply element has a memory providing power supply element type information from which power delivery capability is derived." (Emphasis added)

However, Ben-Meir further discloses at col. 3 line 55 through col. 4, line 6

"The hub controller module processor determines available power by collecting the power supply element type information for each power supply element installed in the hub. The power delivery capability for each power supply element is derived from the type information and a total available power budget determined. <u>Power supply elements installed in the hub add incremental amounts to the available power budget based on the power supply dement type and capacity. All power supply elements installed are online and delivering power to the hub. In addition each power supply element is an autonomous entity in the event of the failure of other power supply elements.</u> This represents a fault tolerant mode of operation of the power supply as a whole, based on the autonomous operation of the individual power supply elements. Using this quality, power supply elements and their delivered total available power budget can be intelligently managed to provide power supply element fault tolerance using an N+M power supply element reservation scheme." (Emphasis added)

From the foregoing, it appears that in his discussion of prior art Ben-Meir teaches redundant elements (e.g., power elements, controllers and lines). However, Ben-Meir **does not teach** <u>redundant lines being used in parallel ot convey respective portions of a message</u>. More particularly, Ben-Meir only teaches that redundant power elements are used in parallel **and not** over redundant lines, <u>nor to power redundant signal path elements</u>.

Specifically, Ben-Meir **does not teach or disclose** "a <u>first redundant source of power adapted to provide power to</u> **a first split path**," nor does BenMeir teach or disclose "a <u>second redundant source of power adapted to provide power to</u> **a second split path**, <u>wherein the first and second split paths are adapted to convey signals</u>

8

corresponding to a first portion and a second portion of a message, respectively in parallel from a source to a destination," as recited in Applicant's claim 10.

In addition, Ben-Meir does not teach or disclose "to transmit messages along the second split path if the first split path becomes substantially unable to transmit messages because the first and second power supplies become substantially unable to provide power to the first split path," as recited in Applicant's claim 15.

Weinstein discloses using a single capacitor to provide power to a system during a switchover from a primary power supply to a backup secondary power supply thereby keeping the voltage from sagging too low during the switching time.

Accordingly, Applicant submits that Claim 10, along with its dependent claims, patentably distinguishes over Ben-Meir, and over Ben-Meir in view of Weinstein for the reasons given above.

Similarly, Applicant's claim 27 recites a method comprising in pertinent part,
"...providing a first redundant source of power to a first split path;
providing a second redundant source of power to a second split path,
wherein the first and the second split paths are adapted to ~~transmit~~ convey signals corresponding to a first portion and a second portion of a message, respectively, in parallel from a source to a destination..."
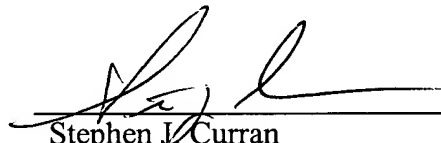
As discussed above, Ben-Meir does not teach or disclose these features. Accordingly, Applicant submits that Claim 27, along with its dependent claims, patentably distinguishes over Ben-Meir, and over Ben-Meir in view of Weinstein for at least the reasons given above.

CONCLUSION

Applicant submits the application is in condition for allowance, and an early notice to that effect is requested.

If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5681-53300/SJC.

Respectfully submitted,

Stephen J. Curran
Reg. No. 50,664
AGENT FOR APPLICANT(S)

Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C.
P.O. Box 398
Austin, TX 78767-0398
Phone: (512) 853-8800

Date: February 22, 2005